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TO:	FROM:
Mail Stop AF	Jason D. Kelly
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FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	21
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571-272-3447	1023-363US01
RE:	APPLICATION SERIAL NUMBER:
Response to Final Office Action dated April 3, 2007	10/825,953

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth;
Keith A. Miesel
Serial No.: 10/825,953
Filed: April 15, 2004
Examiner: Brian T. Gedeon
Group Art Unit: 3766
Docket No.: 1023-363US01
Title: CONTROLLING THERAPY BASED ON SLEEP QUALITY

Confirmation No. 8229

Customer No.: 28863

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CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on June 28, 2007.

By: Shirley A. Betlach
Name: Shirley A. Betlach

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached correspondence relating to this application:

- ☒ Transmittal sheet containing Certificate of Mailing
☒ Amendment (19 pgs.)
☒ No additional fee is required

Please apply any charges not covered, or any credits, to Deposit Account No. 50-1778.

Date: 6-28-07

By: Jason D. Kelly
Name: Jason D. Kelly
Reg. No.: 54,213

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RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3766

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8229
Serial No.:	10/825,953		
Filed:	April 15, 2004	Customer No.:	28863
Examiner:	Brian T. Gedeon		
Group Art Unit:	3766		
Docket No.:	1023-363US01		
Title:	CONTROLLING THERAPY BASED ON SLEEP QUALITY		

AMENDMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed April 3, 2007, the period of response for which runs through July 3, 2007, please amend the application as follows.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 15 of this paper.